

## FRIEDMAN LAW GROUP LLP

270 Lafayette Street 14<sup>th</sup> Floor New York, New York 10012-3327  
tel. 212 680.5150 fax. 646 277.1151 www.flgllp.com

April 24, 2014

By *ECF*

Honorable Nicholas G. Garaufis  
United States District Judge  
United States Courthouse  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *In re American Express Anti-Steering Rules Antitrust Litig.*, 11-MD-2221

Dear Judge Garaufis:

As represented in my April 10, 2014 letter to the Court, I am writing now to report on the efforts of Class Plaintiffs to procure the agreements necessary to allow all potential objectors to the class settlement access to the materials that we filed last week under seal or in redacted form (the “Sealed Materials”). As set forth below, I am also writing to seek a pre-motion conference regarding our ability to provide class members with Sealed Materials.

The Sealed Materials include documents and testimony produced by American Express, the Department of Justice, Discover, MasterCard, Visa and the Individual Merchant Plaintiffs. As of now, all of these producing parties except for the IMPs have agreed that Class Counsel may produce the Sealed Materials to members of the class, on an “outside counsel’s eyes only” basis, provided that the outside counsel agrees to be bound by the terms of the Protective Order in this case.

On behalf of all absent class members, including those who have contacted us regarding a potential objection to the class settlement, we respectfully request a pre-motion conference, under Local Civil Rule 37.3(c), at which we propose to move the Court for an Order directing that Class Counsel may furnish all of the Sealed Materials to potential objectors who agree to be bound by the terms of the Protective Order, on an “outside counsel’s eyes only” basis. The Order that we propose would announce that outside counsel for any class member may contact Class Counsel, indicate an agreement to be bound by the Protective Order, and Class Counsel will then furnish them with an unredacted and complete set of the moving papers.

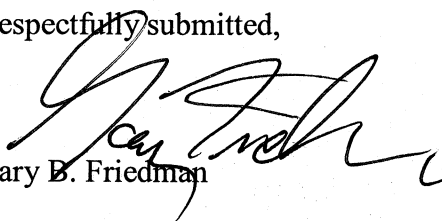
We are prepared to address these issues at the convenience of the Court.

Hon. Nicholas G. Garaufis

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gary B. Friedman", is written over the typed name.

Gary B. Friedman

cc: Phillip C. Korologos  
Craig W. Conrath  
William J. Blechman  
Robert Mason (for Visa)  
Jennifer Selendy (for Discover)  
Keila Ravelo (for MasterCard)  
Jeffrey Shinder (for certain potential objectors)  
Alycia Broz (for certain potential objectors)